

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH R. CALDWELL,

Defendant.

4:12CR3103

DETENTION ORDER

After affording the defendant an opportunity for a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f), the court concludes the defendant must be detained pending trial.

Based on the information of record, the court finds by clear and convincing evidence that defendant's release would pose a serious risk of harm to the community and risk of defendant's nonappearance at court proceedings, and no condition or combination of conditions of release will sufficiently ameliorate that risk.

Specifically, the court finds:

The defendant's criminal record indicates a propensity to violate the law and orders of the court.

The evidence indicates the defendant has a propensity to harm or threaten harm to others. The defendant has a substance abuse addiction or abuses mood-altering chemicals and is likely to continue such conduct and violate the law if released.

The defendant has failed to appear for court proceedings in the past.

The defendant waived the right to a detention hearing.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

September 28, 2012.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge